

BK 0482 PG 0302

STATE MS.-DESOTO CO. *AC*
FILED *18*

SEP 16 12 09 PM '04

BK 482 PG 302
W.F. DAVIS CH. CLK.

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QUITCLAIM DEED

THIS QUITCLAIM DEED made and entered into this day by and between THE CITY OF HORN LAKE, a municipal corporation, hereinafter "Grantor" and DESOTO COUNTY BOARD OF EDUCATION, a political subdivision of the State of Mississippi, hereinafter "Grantee".

W I T N E S S E T H :

FOR AND IN CONSIDERATION OF Ten and no/100 (\$10.00) dollars, cash in hand paid by the Grantee to the Grantor, and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, Grantor does hereby convey and quitclaim unto Grantee that certain real property situated in DeSoto County, Mississippi, and more particularly described as follows:

Beginning at the Northeast corner of Tract II, DeSoto County Board of Education, said point being marked with an iron pin; thence North 90° 00' 00" West a distance of 655.99 feet (656.10 feet called) to a point marked with an iron pin; thence North 56° 25' 11" East (North 56° 26' 21" East called) a distance of 621.76 feet (622.57 feet called) to a point marked with an iron pin; thence South 21° 51' 48" East (South 21° 45' 00" East called) a distance of 370.55 feet to the point of beginning. Containing 2.59 acres, more or less, in Section 33, Township 1 South, Range 8 West, DeSoto County, Mississippi.

Pursuant to Miss. Code Ann. §21-17-1(3)(a), the above described property is conveyed subject to the statutorily required reverter to the effect that the title shall revert to the municipality in the event the property ceases to be used for school purposes for a period of two (2) years. Further, Grantor reserves all mineral rights that it owns together with the right or ingress and egress to remove the same.

This Quitclaim Deed is entered into by virtue of a resolution adopted by the Mayor and Board of Aldermen of the City of Horn Lake on Tuesday, July 20, 2004, a copy of said resolution being attached hereto and incorporated herein as Exhibit "A".

WITNESS the signature of the Grantor acting by and through its duly authorized Mayor, on this the 3 day of September, 2004.

CITY OF HORN LAKE

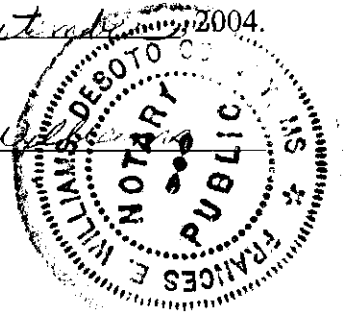
BY: Michael Thomas
MICHAEL THOMAS, Mayor

STATE OF MISSISSIPPI
COUNTY OF DESOTO

PERSONALLY appeared before me, the undersigned authority in and for the said county and state, the within named MICHAEL THOMAS, who acknowledged that he is MAYOR of the CITY OF HORN LAKE, a municipal corporation, and that for and on behalf of the said municipal corporation and as its act and deed, he signed, sealed and delivered the above and foregoing instrument after first having been duly authorized by said municipal corporation so to do.

GIVEN under my hand and official seal on this the 3 day of September, 2004.

Frances E. Williams
NOTARY PUBLIC



My Commission Expires:

MISSISSIPPI STATEWIDE NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 14, 2006
BONDED THRU STEGALL NOTARY SERVICE

ADDRESS OF GRANTOR:

City of Horn Lake
Horn Lake City Hall
3101 Goodman Road
Horn Lake, Mississippi 38637
Tel: 662-342-3498
Tel: None

ADDRESS OF GRANTEE:

DeSoto County School District
5 East South Street
Hernando, MS 38632
Tel: 662-429-5271
Tel: None

PREPARER'S STATEMENT AND INDEXING INSTRUCTIONTYPE OF INSTRUMENT:

Quitclaim Deed

PREPARER'S NAME, ADDRESS AND TELEPHONE NUMBER:

William A. Baskin
Holcomb Dunbar, P.A.
P.O. Box 190
Southaven, MS 38671

662.349.0664

INDEXING INSTRUCTIONS:

Northwest Quarter of Section 33, Township 1 South, Range 8 West, DeSoto County, Mississippi.

TENDERED FOR RECORDING BY (PLEASE RETURN TO):

William A. Baskin
Holcomb Dunbar, P.A.
P.O. Box 190
Southaven, MS 38671

662.349.0664

RESOLUTION: #07-03-04

The Mayor and Board of Aldermen of the City of Horn Lake, Mississippi, took up for consideration the matter of the City's property adjacent to Shadow Oaks Elementary School.

Thereupon, Alderman Carter offered and moved the adoption of the following resolution:

A RESOLUTION DECLARING THE CITY'S 2.59 ACRES ADJACENT TO SHADOW OAKS ELEMENTARY SCHOOL TO BE SURPLUS PROPERTY AND DONATING SAID PROPERTY TO THE DESOTO COUNTY SCHOOL DISTRICT

WHEREAS, the Mayor and Board of Aldermen of the City of Horn Lake, Mississippi (the "Governing Body") pursuant to Title 21, Chapter 17, Section 1 of the Mississippi Code of 1972, as amended, are empowered to declare municipal property to be surplus property and to donate such property to the public school district in which the property is situated.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY AS FOLLOWS:

SECTION 1. That under the power and authority granted by the Laws of the State of Mississippi and particularly under Title 21, Chapter 17, Section 1 of the Mississippi Code of 1972, as amended, and taking into consideration their own familiarity with and personal knowledge of the City's properties, finances, and needs; the Governing Body hereby finds as follows:

- (a) That the 2.59 acres adjacent to Shadow Oaks Elementary School is no longer needed for municipal or related purposes and is not to be used in the operation of the City;
- (b) That the sale of the 2.59 acres adjacent to Shadow Oaks Elementary School in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the municipality; and
- (c) That the use of the 2.59 acres adjacent to Shadow Oaks Elementary School by the DeSoto County School District will promote and foster development and improvement of the City and the civic, social, educational, cultural, moral, or economic welfare of the City; and

SECTION 2. That based upon the findings in Section 1, the 2.59 acres adjacent to Shadow Oaks Elementary School is hereby declared to be surplus property pursuant to Title 21, Chapter 17, Section 1 of the Mississippi Code of 1972, as amended, and the Governing Body hereby finds that such property should be donated to the DeSoto County School District.

SECTION 3. The Mayor and City Attorneys office is hereby authorized to take all necessary actions, including the execution and delivery of all necessary documents, as may be required to convey said property to the DeSoto County School District.

Alderman Shackelford seconded the motion to adopt the foregoing Resolution, and the vote thereupon was as follows:

Alderman Carter	voted: <u> Aye </u>
Alderman Warren	voted: <u> Aye </u>
Alderman Shannon	voted: <u> Acting Mayor </u>
Alderman Shackelford	voted: <u> Aye </u>
Alderman McElhaney	voted: <u> Aye </u>

The motion having received the affirmative vote of a majority of all of the members of the Board present, the Mayor Pro Tempore declared the motion carried and the Resolution adopted on this the 20th day of July 2004.



Jeanne Shannon
Mayor Pro Tempore

Attest:

[Signature]

City Clerk
Seal

Order: #07-28-04

Approval To Purchase Sanitation Carts

Be It Ordered:

By the Mayor and Board of Aldermen to approve the purchase of 408 Sanitation Carts, Model 3190 from Truck Equipment Sales, Inc. at \$37.00 per cart. Total cost not to exceed \$15,096.00.

Said motion was made by Alderman McElhaney and seconded by Alderman Carter. A roll call vote was taken with the following results:

Ayes: Alderman Shackelford, Alderman Warren, Alderman McElhaney and Alderman Carter.

Nays: None.

Absent: None

So ordered this the 20th day of July 2004.

Jeanne Shannon
Mayor Pro Tempore

Attest:

[Signature]

City Clerk
Seal

Order: #07-29-04

Approval Of The Payment To Ensco, LTD For
The Church Road Sewer Project

Be It Ordered:

By the Mayor and Board of Aldermen to approve the payment to Ensco, LTD, for the sewer work on the Church Road Sewer Project. Total Payment \$253,608.30.

Said motion was made by Alderman McElhaney and seconded by Alderman Carter. A roll call vote was taken with the following results:

Ayes: Alderman Carter, Alderman McElhaney, Alderman Warren and Alderman Shackelford.

Nays: None.

Absent: None

So ordered this the 20th day of July 2004.

Jeanne Shannon
Mayor Pro Tempore